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Attorney for Plaintiff  
PETRA A. MARTINEZ

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PETRA A. MARTINEZ,

Plaintiff,

v.

AMERICA'S WHOLESALE LENDER,  
COUNTRYWIDE/BANK OF AMERICA,  
RECON TRUST/MERS, and DOES 1-100,

Defendants.

CASE NO.: 3-09-CIV-5630WHA

**PLAINTIFF PETRA A. MARTINEZ'S  
NOTICE OF DISMISSAL OF FEDERAL  
CLAIMS**

Department: 450 Golden Gate Ave.  
San Francisco, CA 94102  
Courtroom 9, 19th Floor  
Judge: Hon. William Alsup

Plaintiff PETRA A. MARTINEZ ("Plaintiff") hereby provides notice to the Court and all parties that Plaintiff hereby dismisses all federal claims in the Complaint, without prejudice, pursuant to the Federal Rules of Civil Procedure 41(a)(2).

The specific claims being dismissed are:

1. The fourth cause of action for violating the Real Estate Settlement Procedures Act ("RESPA"). See Compl. ¶¶95 – 99; and

- 1 2. The sixth cause of action for Unfair Debt Collection Practices under 15 USC 69(2) *et*  
2 *seq.*. See Compl. ¶¶103 -104.  
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4 Dated: December 29, 2009

Respectfully submitted,

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6 By: \_\_\_\_\_/S/  
7 Michael Patrick Rooney, Esq.  
8 Attorney for Plaintiff PETRA A. MARTINEZ  
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